GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Cooperation Department – Departmental proceedings initiated against Sri Dannana Narayana Rao, formerly Project Director, District Water Management Agency(DWMA), Srikakulam and Divisional Cooperative Officer(now Retired), Vizianagaram on the allegation of possession of assets disproportionate to the known sources of income – Inquiry conducted – Charges not proved – Further action dropped – Orders – Issued.

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AGRICULTURE & COOPERATION (VIG.II) DEPARTMENT

G.O.Rt.No.734 **Dated:04.11.2022**

Read the following:-

1. Director General, ACB, AP Letter No.088/RCA-VSK/2010, dated:12-07-2010.
2. Director General, ACB, AP Letter No.088/RCA-VSK/2010, dated:08-04-2011.
3. Director General, ACB, AP Letter No.088/RCA-VSK/2010, dated:19-08-2011(final report).
4. Govt.Memo No.8755/Vig.III-A2/2010, dated:06-09-2012.
5. Govt.Memo No.8755/Vig.III-A2/2010, dated:17-12-2012.
6. GORt.No.1395, Agri. & Coop.(Vig.III)Dept., dated:17-12-2012.
7. Director General, ACB, AP Letter No.88/RCA-VSK/2010, dated:18-01-2013.
8. Govt.Memo No.8755/Vig.III-A2/2010, dated:14-03-2013 & 18-12-2013.
9. From the Director General, ACB, AP Letter No.88/RCA-VSK/2010, dated:05-01-2015.
10. GORt.No.439, Agri. & Coop.(Vig.III)Dept., dated:06-06-2015.
11. Sri D. Narayana Rao, formerly Project Director, District Water Management Agency (DWMA), Srikakulam and Divisional Cooperative Officer, Vizianagaram, Written statement of defence, dated:25-06-2020.
12. GORt.No.761, Agri. & Coop.(Vig.II)Dept., dated:06-11-2020.
13. GORt.No.762, Agri. & Coop.(Vig.II)Dept., dated:06-11-2020.
14. Govt.Memo No.COOP/93/Vig.II/2019, dated:21-07-2022.
15. Sri D. Narayana Rao, Deputy Registrar(Retired), Vizianagaram, Representation, dated:28-08-2022.

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O R D E R:

On the allegation of possession of assets disproportionate to the known sources of income against Sri Dannana Narayana Rao, formerly Project Director, District Water Management Agency(DWMA), Srikakulam and Divisional Cooperative Officer(now Retired), Vizianagaram, in the final report dated:19-08-2011, the Director General, ACB, AP has recommended as follows:-

a. To prosecute the A.O. in a court of law u/s 13(2) r/w 13(1) (e) of the P.C.Act, 1988 for the allegation that the A.O. acquired assets disproportionate to the known source of his legal income to a tune of Rs.65,23,372-26 Ps.;

(P.T.O.)

b. To initiate departmental action against the A.O. under Rule 9 (1) r/w/ 2 r/w 3(1)(2) of A.P.C.S.(Conduct)Rules, 1964 for the allegation that the A.O. failed to obtain permission for the acquisition of immovable properties in Sl.Nos 1 to 24 and 69 noted in the assets in his name, in his name of wife, brother-in-law and his nephew and thereby violated the A.P.C.S.(Conduct)Rules, 1964;
c. To initiate departmental action against the A.O. under Rule 9 (7) r/w/ 3 r/w 3(1)(2) of A.P.C.S.(Conduct)Rules, 1964 for the allegation that the A.O. not filed the Annual Property Returns in his service except for the year 2006 during his service period as contemplated under rule 9 (7) of A.P.C.s.(Conduct)Rules, 1964; and
d. To initiate departmental action under Rule 10(1-A) of A.P.C.S.(Conduct)Rules, 1964 for the allegation that the A.O. did not intimate about the business activities of his wife as Managing Partner in Petrol Bunk.

2. Government, after careful examination of the matter, have decided to initiate departmental action against Sri Dannana Narayana Rao, Deputy Registrar instead of prosecution for violation of under Rule 9 (7) r/w/ 3 r/w 3(1)(2) of A.P.C.S.(Conduct)Rules, 1964 and A.P.S.C.(CC&A)Rules, 1991 for not filing of Annual Property Returns in his service except for the year 2006. Accordingly, in the references 4th & 5th read above, the Director General, ACB, AP was requested to furnish draft articles of charges against Sri D. Narayana Rao, formerly Project Director, District Water Management Agency (DWMA), Srikakulam and Divisional Cooperative Officer(now Retired), Vizianagaram.

3. In the G.O.6th read above, departmental proceedings were initiated by framing articles of charges against Sri D. Narayana Rao, formerly Project Director, District Water Management Agency (DWMA), Srikakulam for the allegation of irregularities in failing to obtain prior permission from the competent authority for purchase of immovable properties i.e. sites and agriculture lands and vehicle in his name, in the name of his wife and benami at Srikakulam District, in failing to submit his Annual Property Returns from the date of joining into service except for the year 2006 and in failing to obtain prior permission for engaging himself a LIC Agent and allowing his wife as Managing Partner in Balaji Filling Station.

4. In the reference 9th read above, the Director General, ACB, AP has furnished the draft articles of charges against Sri D. Narayana Rao, formerly Project Director, District Water Management Agency(DWMA), Srikakulam and Divisional Cooperative Officer, Parvathipuram, Vizianagaram District for allegation of acquisition of assets disproportionate to the known sources of income. Accordingly, in the G.O.10th read above, articles of charges were framed against Sri D. Narayana Rao, formerly Project Director, District Water Management Agency(DWMA), Srikakulam.

5. The Charged Officer Sri D. Narayana Rao, formerly Project Director, District Water Management Agency (DWMA), Srikakulam and Divisional Cooperative Officer, Vizianagaram has submitted his written statement of defence, dated:25-06-2020 denying the charges framed against him.

6. Since the written statement of defence of the Charged Officer is not convincing, in the G.Os 12th & 13th read above, orders were issued appointing Sri Ali Akbar Basha, Additional Registrar of Cooperative Societies

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as Inquiring Authority and Sri K.V.Papa Rao, Divisional Cooperative Officer, Parvathipuram, Vizianagaram as Presenting Officer for conducting regular inquiry into the charges framed against the A.O. vide G.Os 6th & 10th read above, respectively.

7. After conducting the regular inquiry, the Inquiring Authority has submitted the inquiry report dated:16-07-2021 concluding that, the allegations against the Charged Officer are not justifiable and the four (4) charges framed against the Charged Officer Sri Dannana Narayana Rao are found to be held not proved.

8. After careful examination of the matter with reference to the record of inquiry, Government have observed that, the Charged Officer had submitted his Annual Property Returns(APRs) for the year 2001 on 19-02-2012 and for the year 2002 on 06-01-2013. As per the Circular Memo No.15486/Ser.C/2007, dated:30-07-2007 of General Administration(Ser.C) Department, where the employees who have not furnished their APRs in time, within a month after the last date for receiving such returns and proceed against such employees as per A.P.Civil Service(CC&A)Rules, 1991 for violation of A.P.C.S.(Conduct)Rules, 1964. Hence, the Charge-3 against him is partially proved. According to sub-rule (7) of Rule-9 of A.P.C.S.(Conduct)Rules, 1964 – "Every Government employee, other than a member of the Andhra Pradesh Last Grade Service and a Record Assistant in the Andhra Pradesh General Sub-ordinate Service, shall on first appointment to the Government service submit to Government a statement of all immovable property / properties irrespective of its value and movable property / properties whose value exceeds Rs.20,000/- owned, acquired, or inherited by him or held by him on lease or mortgage either in his own name or in the name of any member of his family, in the forms prescribed in Annexure-I and II separately. He shall also submit to Government before 15th January of each year, through the proper channel, a declaration in the forms given in the Annexure-I and II of all immovable/ movable property / properties owned, acquired or inherited by him or held by him on lease or mortgage, either in his own name or in the name of any member of his family. The declaration shall contain such further information as Government may, by a general or special order require. If in any year, a Government employee has not acquired or disposed of any immovable or movable property or any interest therein, he shall submit declaration to that effect". Accordingly, in the reference 14th read above, a copy of the Inquiry Report dated:16-07-2021 was communicated to the Charged Officer Sri Dannana Narayana Rao, formerly Project Director, DWMA, Srikakulam and Divisional Cooperative Officer(Retired), Vizianagaram along with the disagreement factors with a direction to submit his written representation under Rule 21(2) of APCS(CC&A)Rules, 1991 before the Government within fifteen days from the date of receipt of this order, for taking further course of action in the matter.

9. In turn, the Charged Officer Sri Dannana Narayana Rao, formerly Project Director, DWMA, Srikakulam and Divisional Cooperative Officer(Retired), Vizianagaram has submitted his representation dated:28-08-2022 stating that, he has submitted the Annual Property Return(APR) for the year 2001 in the O/o District Cooperative Officer, Srikakulam and the District Cooperative Officer personally acknowledged the same on 19-02-2002. He has also submitted the Annual Property Returns(APRs) for the year 2002 on 06-01-2003 in the O/o District Cooperative Officer, Srikakulam and

the District Cooperative Officer, Srikakulam acknowledged the same. The years of submission of APRs were erroneously typed as 2012 instead of 2002 and 2013 instead of 2003. This error might have occurred due to oversight and he could not correct it in his explanation. On submission of the corroborative documentary evidence for both the years 2001 & 2002, the Inquiry Officer and Presenting Officer have accepted the veracities of the contentions from his side that the APRs were submitted in time. He has submitted the xerox copies of APRs for the year 2001 & 2002 with dated acknowledgements of the officer concerned. The findings of the Inquiry Officer, on the issue in question, is as "the charges levelled against him were not held proved" on the issues and submission of APRs in terms of Rule 9 (1) & (7) of A.P.C.S.(Conduct)Rules, 1964. Finally, he has requested the Government that the charges levelled against him may be dropped on facts.

10. Government, after thorough examination of the entire matter with reference to the record of inquiry, have decided to drop further action against the Charged Officer Sri Dannana Narayana Rao, formerly Project Director, DWMA, Srikakulam and Divisional Cooperative Officer(Retired), Vizianagaram, as the charges are not held proved as per the findings of the Inquiring Authority. Therefore, Government hereby order to exonerate him from the charges, in the instant departmental case.

11. The Commissioner for Cooperation & Registrar of Cooperative Societies, A.P., Guntur shall take further necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

CHIRANJIV CHOUDHARY, IFS,
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri Dannana Narayana Rao,
formerly Project Director, DWMA, Srikakulam and
Divisional Cooperative Officer(Retired), Vizianagaram.
(Through : The Commissioner for Cooperation & Registrar of Cooperative Societies, A.P., Guntur)
Copy to:-
The Commissioner for Cooperation & Registrar of Cooperative Societies, A.P., Guntur.
The Director General, ACB, AP, Vijayawada,
The Vigilance Commissioner, A.P.V.C., A.P.Secretariat.
SF/SC.

// FORWARDED :: BY ORDER //

K. Sampath Kumar
SECTION OFFICER